

Department of Planning and Budget 2005 Fiscal Impact Statement

1. Bill Number HB2797

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|------------------------|--|-------------------------------------|------------------------------------|
| House of Origin | <input checked="" type="checkbox"/> Introduced | <input type="checkbox"/> Substitute | <input type="checkbox"/> Engrossed |
| Second House | <input type="checkbox"/> In Committee | <input type="checkbox"/> Substitute | <input type="checkbox"/> Enrolled |

2. Patron Nixon

3. Committee General Laws

4. Title Technology protection measures; public libraries.

5. Summary/Purpose:

Existing law requires library boards to establish acceptable use policies (AUP) for access to the Internet within public libraries. The policies must be designed to prohibit use of library computers for sending, receiving, viewing or downloading illegal material; prevent youths from accessing information harmful to juveniles; and establish appropriate consequences for violation of the policies. Library boards are instructed to take such steps as they deem appropriate to implement the policies, which may include the use of filtering or blocking software. The Proposed amendment to the legislation requires, for all libraries that receive state funding for any purpose, that the library board or governing body select, install and activate Internet filtering or blocking software on all computers that have internet access. The software is intended to block access to child pornography as set out in § 18.2-374.1C1, obscenity as defined in § 18.2-372 and materials deemed harmful to juveniles as defined in § 18.2-390.

6. Fiscal Impact Estimates are: Final.

7. Budget amendment necessary: No.

8. Fiscal implications: Local public libraries and the Library of Virginia will have to purchase and install Internet filtering or blocking software on their public-access computers. The cost of the software is estimated at \$50 per copy initially, and \$35 per copy for upgrades in each of the two succeeding years. It is anticipated that new software will be required every fourth year to keep up with changes in technology. The estimated total costs are \$190,000 in 2005-06, \$133,000 in each of the next two years, and a repeat of this pattern beginning every fourth year, based on 3,795 public access computers throughout the state. It is anticipated that each library will absorb the costs of the software within its budget. Many libraries already have software in place for the purposes specified in this bill, thus these estimates provide a worst case scenario.

In addition to purchasing the software, libraries must absorb administrative costs related to installing, monitoring and maintaining the software. These administrative costs have not been quantified and are not included in the expenditure impact above.

9. Specific agency or political subdivisions affected: The Library of Virginia and all localities with public libraries.

10. Technical amendment necessary: None.

11. Other comments: This bill is nearly identical to SB882, except that SB882 specifies that the software to be selected by libraries shall be selected by the Library of Virginia.

Date: 01/20/05 / jeh

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cc: Secretary of Education